

**Central Administrative Tribunal  
Madras Bench**

**OA/310/00050/2017**

**Dated the 4<sup>th</sup> day of July Two Thousand Nineteen**

**P R E S E N T**

**Hon'ble Mr. P.Madhavan, Member(J)  
&  
Hon'ble Mr.T.Jacob, Member(A)**

M.Umamaheswari,  
W/o R.Ranjithkumar,  
No.27/80, Canal Bank Road,  
Gandhi Nagar, Adyar,  
Chennai 600 020. .. Applicant  
By Advocate **M/s.Row & Reddy**

**Vs.**

1. Government of India, rep. by  
Director,  
Department of Atomic Energy,  
Indira Gandhi Centre for Atomic Research,  
Kalpakkam 603 102.
2. Assistant Administrative Officer ®,  
Indira Gandhi Centre for Atomic Research,  
Homi Bhabha Building, 3<sup>rd</sup> Floor,  
Kalpakkam 603 102.
3. Administrative Officer-III (R&SR),  
Indira Gandhi Centre for Atomic Research,  
Homi Bhabha Building, 3<sup>rd</sup> Floor,  
Kalpakkam 603 102.
4. Thiruvalluvar University,  
rep. by Registrar,  
Vellore 632 004. .. Respondents

By Advocate **Mr.M.Kishore Kumar-SPC(R1-3), Mr.S.T.Rajan(R4),**

**ORDER**

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

This is an OA filed seeking the following relief:-

“to set aside the order bearing Reg.No.IGC/Rect/1(2)(12)/2-2014/2016/1394 dt. 15.9.2016 (Ann-8) issued by the 2<sup>nd</sup> respondent stating that the applicant is not eligible for the post of SA/B-Industrial Safety followed by another order of the 3<sup>rd</sup> respondent bearing No.IGC/Rect/1(2)(12)/2-2014/2016/1441 dt. 4.10.2016 (Ann.10), reiterating the same after the selection list was published in online where her name was found and consequently direct the respondents to give her the appointment order as SA/B-Industrial Safety (SA-05) in the same manner in which it was given to the other candidate S.Mohandoss.”

2. The applicant's case in brief is as follows:-

The applicant is a B.Sc. Graduate having 60% marks in core subjects. She is also having one year Diploma in Industrial Safety conducted by the Annamalai University. The department of Atomic Energy had issued an advertisement No.2/2014 for selection of Scientific Assistant-B-Industrial Safety (SA-B) and the essential qualification prescribed was B.Sc., with 60% marks and one year Diploma Certificate in Industrial Safety. According to the applicant, there were 2 posts and she gave an application for the said post. According to the applicant, she was having 61.76% marks in the core subject and if the language is also included, she had secured 60.73%. The applicant was called for written test and thereupon for interview on 12.5.15. She was selected as first candidate and her name was published in the website (Annexure A5). On 13.7.16, the 3<sup>rd</sup> respondent issued a letter seeking a

clarification regarding the marks. They stated that the marks scored in the mark sheet is not matching with the total marks obtained. Then the applicant explained the calculation of marks on the basis of core subject as 61.76%. According to her, even if the total marks are taken she is having more than 60% marks. But inspite of the above explanation, the respondents had rejected the explanation and cancelled her selection.

3. The respondents appeared and filed a detailed reply denying the averments in the application. According to them, the department of Atomic Energy had 4 categories of employees namely Scientific, Technical, Administrative and Auxiliary. The Indira Gandhi Centre for Atomic Research (IGCAR) is one of the major Research and Development Units and they admitted the publication of advertisement No.2/2014 for selection of SA-B (Industrial Safety). According to them, the essential qualification is B.Sc., with minimum 60% marks with one year Diploma Certificate in Industrial Safety. It was also mentioned in the notification that before applying, the candidate should ensure that he or she fulfils the eligibility condition mentioned in the application. It was also mentioned that candidates should ensure that they fill in the correct information. According to the respondents, the candidates will be admitted to various stages of recruitment process on the basis of details submitted by the candidates. As per the procedure a detailed scrutiny of the application would take place only at the final stage of recruitment process. Till that time the candidates shall remain provisional and if the candidate is found eligible in all respect, they will be taken into service. Based on the details submitted by the applicant, only a summary

scrutiny was done and on the basis of such scrutiny the applicant was screened in to appear in the written examination. When the matter was taken up for detailed verification it was found that the information submitted by the applicant was wrong and she was not having 60% marks in the B.Sc. degree examination. So they sought for clarification and the applicant had given a clarification stating that “she had converted marks of each paper to 100 and reported in the application submitted...” It was further stated that she had obtained first class which is 61.76% for the B.Sc. She had given the following details of marks:-

| Details                          | Maximum Marks | Marks Obtained | Percentage |
|----------------------------------|---------------|----------------|------------|
| Actual as per mark sheet         | 1650          | 962            | 58.30%     |
| Calculations done by me          | 1900          | 1147           | 60.37%     |
| Actual without language subjects | 1250          | 772            | 61.76%     |

According to the respondents, the applicant has not obtained the required qualification and she had submitted false information and her candidature was rejected. As per the original mark sheet, the candidate had obtained 962 marks out of 1650 and she had scored 58.30%. She had made a calculation showing the total marks as 1900 and the marks obtained as 1147 and the percentage obtained as 60.37%

4. So, the main points to be considered in this case is whether the applicant in this case had obtained 60% marks for her B.Sc. degree and eligible for appointment.

5. We have heard the counsel for the applicant and the counsel for the respondents and perused the pleadings in this case. It has come out in pleadings that the applicant in this case had obtained 962 marks out of 1650 as per mark sheet provided. But the applicant in this case has calculated the marks obtained for practical after converting into 100 and submitted her application stating that she had obtained 60.37% marks for B.Sc. degree examination including languages. From this, it can be seen that the applicant had shown the marks incorrectly in her application and was admitted in the written test and interview. Thereafter, when the respondents had sought the clarification, the applicant revealed that she has converted the marks to 100 instead of 60 and totalled the aggregate as 60.37%. As per the Recruitment Rules the applicant has to score 60% marks in aggregate for B.Sc. examination. But as per the mark sheet she got only 58.30% and there is no merit in the contention put forward by the counsel for the applicant in this case. Though she had obtained 60% marks for the core subjects, she cannot claim any appointment on the basis of the above notification (Annexure A3). There is a specific stipulation that the candidate should secure 60% marks in the B.Sc. examination which clearly indicate that the candidate should have 60% marks including the language subjects studied for the post. No other interpretation can be allowed since the Recruitment Rules stipulates 60% marks in aggregate. So, there is no merit in the contention put forward by the applicant in this case. The respondents have clearly shown that the applicant has attempted to obtain

appointment by showing a different calculation which was not expected from her. In the circumstances, we do not find any merit in the OA and it is liable to be dismissed.

6. Accordingly,OA will stand dismissed. No order as to costs.

(T.Jacob)  
Member(A)

(P.Madhavan)  
Member(J)

04.07.2019

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